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10 | *Attorneys for Defendant
C. R. Bard, Inc.*

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

15 IN RE: Bard IVC Filters Products Liability Litigation | MDL NO. 15-02641-PHX-DGC

**DEFENDANT C. R. BARD, INC.'S
ANSWER AND GENERAL DENIAL IN
RESPONSE TO PLAINTIFF'S FIRST
AMENDED COMPLAINT IN CASE
NO. CV-17-00489-PHX-DGC; JURY
TRIAL DEMAND**

Defendant C. R. Bard, Inc. (“Bard” or “Defendant”) hereby files this Answer and General Denial in response to the First Amended Complaint served on Defendant in *Eddie Hall v. C. R. Bard, Inc.*, AZ Member Case No. CV-17-00489-PHX-DGC (“Answer and General Denial”). Defendant further reserves the right to file any motion to dismiss for failure to state a claim with respect to this case, as set forth in Amended Case Management Order No. 4.

With respect to the allegations plaintiff(s) raise in *Eddie Hall v. C. R. Bard, Inc.*, AZ Member Case No. CV-17-00489-PHX-DGC, Defendant denies, generally and specifically, each and every allegation in plaintiff(s)' Complaint, the whole thereof, and each and every cause of action therein. Defendant further denies that the plaintiff(s) has sustained, or is entitled to recover, damages in any amount alleged or in any sum whatsoever. Defendant further denies that it is liable to the plaintiff in any amount, and further denies that the plaintiff has sustained injury, damage, or loss by reason of any act or omission by Defendant.

As for additional defenses, and without assuming any burden of pleading or proof that would otherwise rest on plaintiff(s), Defendant incorporates by reference the responses and Affirmative Defenses set forth in Defendants' Answer to Plaintiffs' Master Complaint filed in MDL 2641 on December 17, 2015 (Doc. 366). Defendant further reserves the right to raise such other affirmative defenses as may be available or apparent during discovery or as may be raised or asserted by other defendants in this case. Defendant has not knowingly or intentionally waived any applicable affirmative defense. If it appears that any affirmative defense is or may be applicable after Defendant has had the opportunity to conduct reasonable discovery in this matter, Defendant will assert such affirmative defense in accordance with the Federal Rules of Civil Procedure.

REQUEST FOR JURY TRIAL

19 Defendant C. R. Bard, Inc. demands a trial by jury on all issues appropriate for jury
20 determination.

21 **WHEREFORE**, Defendant avers that the plaintiff(s) is/are not entitled to the relief
22 demanded in the plaintiff(s)' Complaint, and this Defendant, having fully answered, prays
23 that this action against it be dismissed and that it be awarded its costs in defending this action
24 and that it be granted such other and further relief as the Court deems just and appropriate.

25 //
26 //
27 //

This 15th day of January, 2019.

s/Richard B. North, Jr.
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Attorneys for Defendant C. R. Bard, Inc.

1 **CERTIFICATE OF SERVICE**
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4 I HEREBY CERTIFY that on January 15, 2019, I electronically filed the foregoing
5 with the Clerk of the Court by using the CM/ECF system which will send notification of such
6 filing to all counsel of record.

7 s/Richard B. North, Jr.
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